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Application Serial No. 10/681,587
Attorney Docket No. 56210.000019**Certificate of Transmission under 37 CFR 1.8**

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1. Communication to Patent Office Regarding Improper Inventorship (3 pages)
2. Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address PTO/SB/82 (1 page)
3. Declaration of Thomas L. Barnhart with detailed qualification and employment history (6 pages)
4. Certificate of Transmission (1 page)

Total Pages: 11

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PATENT

U.S. Patent Application Serial No. 10/681,587

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thomas L. Barnhart *et al.*

Serial No. 10/681,587

Filed: October 7, 2003

Examiner: Not yet known

Group Art Unit: Not yet known

For: HIDDEN IMAGE GAME PIECE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**COMMUNICATION TO PATENT OFFICE**
REGARDING IMPROPER INVENTORSHIP

Dear Sir:

The subject patent application currently names two inventors, Thomas L. Barnhart ("Barnhart") and Joel M. Brooks ("Brooks"). This inventorship is improper. Barnhart and Brooks are co-inventors of United States Patent Nos. 5,984,367 ("the '367 patent") and 6,296,900 ("the '900 patent"). The subject application claims priority to both. The inventive contribution of the inventors of the '367 patent and the '900 patent — Barnhart and Brooks — are distinct, yet complimentary of the inventions claimed therein.

At the time of the invention of the '367 patent (the parent to the '900 patent), Barnhart was very experienced in promotions and marketing strategies and had many years of experience working with companies to devise creative marketing and promotional strategies, including those involving hidden image game pieces. However, at that time, Barnhart was not as experienced in complex printing techniques. Consequently, Barnhart sought the assistance of a printing

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professional and found Brooks. At that time, Brooks was employed by Williams Printing of Atlanta, Georgia. Brooks assisted Barnhart with developing the details of printing the hidden image game piece as disclosed and claimed in the '367 patent and the '900 patent. The claims of the '367 patent embody both of their respective inventive contributions and, consequently, Barnhart and Brooks are properly named as co-inventors.

In stark contrast, the claims of the subject patent application, as well as those in U.S. Patent No. 6,629,888 ("the '888 patent"), which names Barnhart as the sole inventor, are directed to a method for increasing website traffic without any regard whatsoever to the printing techniques disclosed in the '888 patent, *i.e.*, Brooks' inventive contribution — printing techniques — is not claimed in the '888 patent. Thus, it was proper in the '888 patent *not* to include Brooks as a co-inventor of the '888 patent, and in fact, it would have been improper to do so. In the subject application, all of the claims, like those in the '888 patent, are directed to a method for increasing website traffic, without any regard whatsoever to the disclosed printing techniques. Consequently, like the '888 patent, it is improper to include Brooks as an inventor in the subject application.

Enclosed herewith is a Declaration of Thomas L. Barnhart stating that he conceived the invention claimed in the subject application and thus is the sole inventor of the claims pending in the subject application. Also enclosed herewith is Form PTO/SB/82, a Revocation by Thomas L. Barnhart of Sanford J. Asman's power of attorney and Appointment of the undersigned counsel with full authority to appear and prosecute the subject application on behalf of the sole inventor, Thomas L. Barnhart. Finally, because Thomas L. Barnhart is the sole inventor of the claimed invention, also enclosed herewith is a change of correspondence address.

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The applicant at this time is not submitting herewith a petition to correct inventorship because the proper applicant, Thomas Barnhart, is without sufficient knowledge of the underlying facts to aver that Sanford J. Asman (Reg. No. 26,251), who filed the subject patent application, did not without deceptive intent include Joel M. Brooks as a co-inventor of the subject patent application.

Respectfully submitted,

Dated: 8/12/2005
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